

Sweetwater County School District #2

320 Monroe Avenue Green River, WY 82935

Phone: 307-872-5500 FAX: 307-872-5518

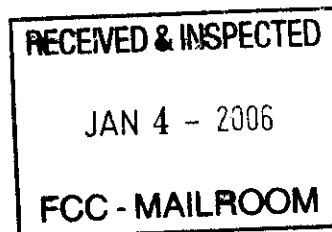
www.sw2.k12.wy.us



Request for Review

December 28th, 2005

Federal Communications Commission
Office of the Secretary
445 12th Street SW
Room TW-A325
Washington, DC 20554



RE: CC Docket No. 02-6

Funding Request 1074289

Form 471 Application Number 392324
Service Provider Identification Number: 143005231
Form 486 Application Number 308395
Application's Form 486 Identifier: 2004CA

Funding Request 1074290

Form 471 Application Number 392324
Service Provider Identification Number: 143005231
Form 486 Application Number 308397
Application's Form 486 Identifier: 2004CB

To Whom It May Concern:

This is to notify the FCC of an Appeal of Sweetwater County School District No. 2's regarding the Administrators Decision on Appeal dated November 4th, 2005. The reason stated was the facts that we presented in the appeal do not justify the waiving of the 120-day filing requirement.

As you can see by the attached Bear Forms for 2000, 2001, and 2002, we have been diligently working within the guidelines set by the SLD for our E-Rate Funds. There have been times that we have gone past the 120-day deadline and at no time have we had our funds denied or reduced because of this. The SLD stated that again it is our responsibility to submit the forms in a timely and correct fashion and that because of this missed 120-day filing deadline our request was going to be denied.

Also, we have been in the process of changing the person responsible for the filing of the E-rate filings and she was originally told that the 120-day deadline began after the 30th of June cut off date. This was told in error, and when we contacted the SLD, we were made aware of the deadline issue. Since all current applications have been filed in

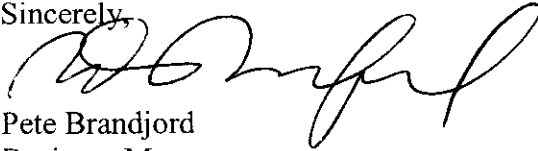
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a timely manner since she was made of the deadline issue, we would respectfully request that this be taken in to full consideration.

Therefore, I respectfully request that because of the issues stated above, that the full amount of the award for 2004 be fully reinstated.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pete Brandjord', written over the word 'Sincerely,'.

Pete Brandjord
Business Manager
Sweetwater School District No. 2
320 Monroe Avenue
Green River, WY 82935
307-872-5504
307-872-5518 (FAX)
Brandip@sw2.k12.wy.us

enclosures



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2004-2005

November 14, 2005

Pete Brandjord
Sweetwater School District No. 2
320 Monroe Avenue
Green River, WY 82935

Re: Applicant Name: SWEETWATER CO SCHOOL DIST 02
Billed Entity Number: 142557
Form 471 Application Number: 392324
Form 486 Application Number: 308395, 308397
Funding Request Number(s): 1074289, 1074290
Your Correspondence Dated: October 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2004 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1074289, 1074290

Decision on Appeal: **Denied**

Explanation:

- In your appeal letter, you state that you have been diligently working within the guidelines set by the SLD for your E-Rate Funds. You also state that you have gone past the 120-day deadline in the past and at no time have you had your funds denied or reduced because of this. You explain that this past year the filing has been switched to a new individual who was under the impression that Form 486 needed to be filed after the June 30th date. You close by stating you are confident that the deadlines will be kept regarding any future filings.
- Upon review of the appeal letter, the relevant facts, and supporting documentation, the SLD determined that the Form 486 for this funding request should have been filed within 120-days calculated from the issuance date of the

Funding Commitment Decision Letter or the Service Start Date as indicated on the Form 486, whichever is later. It is the responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner.

- The date of your Funding Commitment Decision Letter (FCDL) for Form 471 application 392324 was April 27, 2004. The Service Start Date reported on your Form 486 was July 1, 2004. The postmark date of your Form 486 was August 1, 2005. Since your FCC Form 486 was postmarked more than 120 days after your Service Start Date or the date of your FCDL, whichever is later, the SLD has revised your Service Start Date to the date 120 days before your Form 486 postmark date and reduced your funding commitment amount based on the adjusted Service Start Date.

The "Form 486 must be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later." See 2004 Funding Commitment Decision Letter, Universal Service for Schools and Libraries, Receipt of Service Confirmation Form, OMB 3060-0853, Instructions at 6. Since your Form 486 was postmarked after the 120 day filing requirement, the SLD has modified your service start date. The facts present in this appeal do not justify waiving the 120 day filing requirement. Consequently, your appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Pete Brandjord
Sweetwater School District No. 2
320 Monroe Avenue
Green River, WY 82935

Billed Entity Number: 142557
Form 471 Application Number: 392324
Form 486 Application Number: 308395,308397

2002/2003 E Rate Applications - Billed Entity Number 142557

FORM 486 SENT: 7/2/2002

02/03	Form 472 (BEAR)		NEEDS	\$
2002C	LINC/CO DSS		mailed 7/15/03	\$9,709.85
2002C	HS DSS	GRHS	mailed 7/15/03	\$8,512.14
2002E	LD	District	mailed 9/29/03	\$3,757.90
2002F	T1's	District	mailed 7/15/03	\$9,285.60
2002G	Internet	District	mailed 10/30/02	\$1,805.82

Qwest adj 5670 \$48/mo
did not expend full award
adjusted for July/Aug 03 pymt

Sweetwater County School Dist 02

2001/2002 E Rate Applications - Billed Entity Number 142557

	Service		470	470	471	471	FRN#	Contract	\$ Request	Vendor	SPIN #	Start Date	End Date	Discount	\$ Funded	SLC Notified					
			Sent	Appl #	Sent	Appl #		#	w/discout							Vendor	Date				
																Date	Amount	Received			
2001A	Cellular	District	11/2/2000	880140000303452						NOT ENOUGH CELL PHONES ELIGIBLE - NOT DOING											
2001B	Analog	Granger	11/2/2000	290300000303464	1/11/2001	232557	543039		\$ 845	Qwest	143005231	7/1/2001	6/30/2002	80%	\$ 844.80	7/30/2002	\$ 844.80	8/21/2002			
		McKinnon	11/2/2000	290300000303464	1/11/2001	232557	543051		\$ 1,008	Union Telecom	143001122	7/1/2001	6/30/2002	60%	\$ 1,008.00	8/9/2002	\$ 755.63	10/17/2002			
		Thoman	11/2/2000	290300000303464	1/11/2001	232557	543066		\$ 135	Qwest	143005231	7/1/2001	6/30/2002	25%	\$ 135.00	7/30/2002	\$ 132.53	8/21/2002			
2001C	DSS Voice	Lincoln	11/2/2000	977350000303663	1/11/2001	234992	549892		\$ 9,270	Qwest	143005231	7/1/2001	6/30/2002	50%	\$ 9,270.00	8/2/2002	\$ 9,270.00	8/21/2002			
		GRHS	11/2/2000	977350000303663	1/11/2001	234992	549911		\$ 8,514	Qwest	143005231	7/1/2001	6/30/2002	50%	\$ 8,514.00	9/10/2002	\$ 8,511.08	10/17/2002			
2001D	Centrix	District	prior year	955430000188324	1/11/2001	235058	550145	W12059	\$ 14,468	Qwest	143005231	7/1/2001	6/30/2002	56%	CANCELLED BY SD#2		-	NA			
2001E	Toll	District	11/2/2000	970810000303478	1/11/2001	235104	550340		\$ 3,180	Union Telecom	143001122	7/1/2001	6/30/2002	53%	\$ 3,180.00	6/25/2002	\$ 3,180.00	8/21/2002			
2001F	T1's	District	11/2/2000	245920000303487	1/11/2001	235150	550443		\$ 9,324	Qwest	143005231	7/1/2001	6/30/2002	53%	\$ 9,323.76	8/16/2002	\$ 9,285.60	9/10/2002			
2001G	Internet	District	11/2/2000	699680000303559	1/11/2001	235211	550620		\$ 2,167	Wyoming.com	143008370	7/1/2001	6/30/2002	53%	\$ 2,166.98	12/31/2001	\$ 1,986.40	2/27/2002			
									\$ 48,911						\$34,442.54		\$33,966.04				

FORM 486 SENT: 9/4/2001

01/02	Form 472 (BEAR)	NEEDS	\$
2001B	Analog	McKinnon	
2001B	Analog	Thoman	
2001B	Analog	Granger	
2001C	LINC/CO DSS		
2001C	HS DSS	GRHS	
2001E	LD	District	
2001F	T1's	District	
2001G	Internet	District	

Subtracted \$180.58 - final month was 7/2002

Sweetwater County School Dist 02

2000/2001 E Rate Applications - Billed Entity Number 142557

Form 486 (all but 2000F) mailed 7/19/00 / 2000F mailed 8/7/00

	Service		470 Sent	470 Appl #	471 Sent	471 Appl #	FRN#	Contract #	\$ Request w/d discount	Vendor	SPIN #	Start Date	End Date	Discount	\$ Funded	SLC Notified		
																Vendor		Date
																Date	Amount	Received
2000A	Cellular	District	11/24/1999	753240000256226	1/10/2000	165436	323163	MTM	\$ 1,851	Verizon	143000720	7/1/2000	6/30/2001	53%	\$ 1,850.76	2/22/2001	\$ 695.54	5/30/2001
2000B	Analog	Granger	11/24/1999	152440000255881	1/10/2000	165569	323316	T	\$ 826	U S West	143005231	7/1/2000	6/30/2001	80%	\$ 825.60	7/19/2001	\$ 825.59	11/16/2001
		McKinnon	11/24/1999	152440000255881	1/10/2000	165569	323323	T	\$ 1,258	Union Tele	143001122	7/1/2000	6/30/2001	80%	\$ 1,257.60	8/9/2001	\$ 1,114.84	9/15/2001
		Thoman	11/24/1999	152440000255881	1/10/2000	165569	323328	T	\$ 138	U S West	143005231	7/1/2000	6/30/2001	25%	\$ 138.00	7/12/2001	\$ 135.89	9/15/2001
2000C	DSS Voice	Lincoln	prior year	227740000187251	12/6/1999	157195	305025	W12431	\$ 7,560	U S West	143005231	7/1/2000	6/30/2001	50%	\$ 7,560.00	6/4/2001	\$ 7,560.00	6/25/2001
		GRHS	prior year	227740000187251	12/6/1999	157195	305026	W12432	\$ 6,936	U S West	143005231	7/1/2000	6/30/2001	50%	\$ 6,936.00	6/4/2001	\$ 6,936.00	6/25/2001
2000D	Centrix	District	prior year	955430000188324	12/6/1999	157170	305004	W12059	\$ 9,478	U S West	143005231	7/1/2000	6/30/2001	55%	\$ 9,477.60	4/19/2001	\$ 9,477.59	5/30/2001
2000E	Toll	District	11/24/1999	907830000256063	1/10/2000	165625	323442	MTM	\$ 5,088	AT&T	143001192	7/1/2000	6/30/2001	53%	\$ 5,088.00	10/15/2001	\$ 3,750.63	11/16/2001
2000F	T1's	District	11/24/1999	705120000256090	1/10/2000	165694	323642	T	\$ 12,834	U S West	143005231	7/1/2000	6/30/2001	53%	\$12,834.48	8/2/2001	\$ 9,360.68	11/16/2001
2000G	Internet	District	11/24/1999	429090000256204	1/10/2000	165816	323850	MTM	\$ 2,167	Wyoming.com	143008370	7/1/2000	6/30/2001	53%	\$ 2,166.98	11/16/2000	\$ 1,986.40	12/27/2000
2000G	Internet	District	11/24/1999	429090000256204	1/10/2000	165816	323850	MTM		Wyoming.com	143008370	7/1/2000	6/30/2001	53%		2/12/2001	\$ 180.58	3/27/2001

\$ 48,135

\$48,135.02

\$ 42,023.54

FORM 486 SENT:

00/01	Form 472 (BEAR)			NEEDS	\$
2000A	Cellular	District	Verizon Wireless	mailed 2/1/01	\$ 695.55
2000B	Analog	McKinnon	Union Telcom	mailed 8/1/01	\$ 1,114.84
2000B	Analog	Thoman	US West	mailed 7/2/01	\$ 135.89
2000B	Analog	Granger	US West	mailed 7/2/01	\$ 825.60
2000C	LINC/CO DSS		US West	mailed 5/15/01	\$ 7,560.00
2000C	HS DSS	GRHS	US West	mailed 5/15/01	\$ 6,936.00
2000D	Centrex	District	US West	mailed 4/2/01	\$ 9,477.60
2000E	LD	District	AT&T	mailed 9/4/01	\$ 3,750.65
2000F	T1's	District	US West	mailed 7/26/01	\$ 9,360.68
2000G	Internet	District	Wyoming.com	mailed 8/15/00	\$ 1,986.40
2000G-1	Internet	District	Wyoming.com	mailed 2/1/01	\$ 180.58

*did not expend full award, short \$1155.21 - changed carriers

*did not expend full award, short \$142.96

*did not expend full award, short \$2.11

*did not expend full award, short \$1337.35 - changed carriers

*did not expend full award, short \$3473.80

\$ 42,023.59